



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,159	01/26/2004	Hideaki Shimizu	723-1464	6751
27562	7590	04/18/2011	EXAMINER	
NIXON & VANDERHYE, P.C. 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			HALL, ARTHUR O	
		ART UNIT	PAPER NUMBER	
		3718		
		MAIL DATE		DELIVERY MODE
		04/18/2011		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Rule 312 Communication

Application No.	Applicant(s)
10/763,159	SHIMIZU, HIDEAKI
ARTHUR O. HALL	3718

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 08 April 2011 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

Examiner has entered the amendment in part because applicant has mistakenly not recited the term "operable" in claim 7 on about line 19 of the amended claims as agreed to in an interview held 4/7/2011 between applicant's representatives, Examiner and Examiner's Supervisor. Currently, claim 7 recites "an operating member by the player." Examiner believes that this was either a typographical error or negligent oversight by applicant's representatives. Examiner will enter all amendments upon applicants' correction of the discussed error.

Related to applicant's position that the amendments made in the Examiner Amendment mailed with a Notice of Allowance on 3/17/2011 were unacceptable and unauthorized, Examiner and Examiner's Supervisor merely agreed that Examiner and applicants had a difference of opinion regarding the amendments that were made in the Examiners Amendment, and that these amendments resulted from a miscommunication between Examiner and applicant's representative which did not resolve Examiner's understanding that the scope of the claimed invention as a whole was based on claim 1 since claim 1 was the focus of previous discussions between Examiner and applicant's representatives from which Examiner understood that all other independent claims in the application would conform to the scope of claim 1.

/Arthur O Hall/
Primary Examiner, Art Unit 3718